

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Marc J. Randazza, et al.,

2:12-cv-02040-JAD-PAL

Plaintiffs

V.

Crystal Cox, et al.,

Defendants

Order Vacating Order at ECF 302 and Reinstating Stay Pending Appeal

I issued an order yesterday lifting the stay of this case pending appeal and directing the parties to file status reports by March 25, 2016.¹ I have since learned that, following the Ninth Circuit’s order dismissing Marc Randazza’s appeal,² Mr. Randazza filed a motion to reinstate his appellate case, which was granted by the Ninth Circuit on December 22, 2015. A copy of the Ninth Circuit’s order reinstating appellate case no. 15-15610 is attached as Appendix A. Unfortunately, our docket did not reflect these developments in the Ninth Circuit proceeding. But my review of the Ninth Circuit’s docket has confirmed that the appeal has been reinstated and was then stayed due to Mr. Randazza’s bankruptcy filing. It appears, therefore, that my order lifting the stay pending appeal (ECF 302) is premature.

Accordingly, IT IS HEREBY ORDERED that the **Order Lifting the stay of Case Pending Appeal, Providing Further Instruction, and Directing the Parties to File Status Reports [ECF 302]** is VACATED and the stay of this case pending Mr. Randazza's appeal is REINSTATED.

DATED: March 15, 2016

Jennifer A. Dorsey
United States District Judge

¹ ECF 302.

² ECF 299 (Ninth Circuit's order), 301 (order on mandate).

Appendix A

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

DEC 22 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MARC J. RANDAZZA,

Plaintiff - Appellant,

And

JENNIFER RANDAZZA and NATALIA
RANDAZZA,

Plaintiffs,

v.

CRYSTAL COX,

Defendant - Appellee.

No. 15-15610

D.C. No. 2:12-cv-02040-JAD-PAL
District of Nevada,
Las Vegas

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

Appellant's motion to reinstate this case is granted.

The court is in receipt of appellant's notice of filing bankruptcy. The case is stayed pursuant to 11 U.S.C. §362(a). Within 90 days after the date of this order, appellant shall file a status report or file the opening brief. If the opening brief is filed, the answering brief is due within 30 days after service of the opening brief. The optional reply brief is due within 14 days after service of the answering brief.